

OCT-09-2003 13:33

COLLARD&ROE

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Notice of Appeal
10/10/03

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DATE: October 9, 2003

OCT 10 2003

NO. OF PAGES INCLUDING COVER PAGE: 5

TO: Examiner: K. E. Peterson

FAX NO.: 1-703-872 9303

FROM: COLLARD & ROE, P.C.

RE: U.S. SER. NO. 09/674,205

Group: 3721

Applicants: K.E. Peterson

R May et al

OFFICIAL

If you do not receive all of the pages, please call the above phone number as soon as possible.

MESSAGE:

Dear Sir:

Enclosed please find a Notice of Appeal in response to the Advisory of July 15, 2003. Please confirm receipt.

Respectfully submitted,

Kurt Kelman

KK:im

RAUSERS\minendorf\KELMAN\MSFAX transmitted 10/10/03 11:11:08.wpd

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(re-faxed)

10/10/2003 RSMITH 00000006 032468 09674205

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61 FC:2401

165.00 DA

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **REINHOLD MAYR ET AL**

Serial No.: **09/674,205**

Group No.: **3724**

Filed: **October 27, 2000**

Examiner: **K.E. PETERSON**

For: **MILL SAW**

MAIL STOP A7
Commissioner of Patents and Trademarks
P.O. BOX 1450
ALEXANDRIA, VA. 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed July 15, 2003, finally rejecting claim 6. Claim 8 is allowed.

The items checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

other than a small entity

small entity

Verified statement

attached

already filed on Oct. 27, 2000

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 CFR 1.17(e), the fee for filing the Notice of Appeal is:

<input checked="" type="checkbox"/> small entity	\$165.00
<input type="checkbox"/> other than a small entity	\$330.00

Notice of Appeal fee due \$165.00

3. EXTENSION OF TERM

NOTE: The time periods set forth in 37 CFR 1.181 are subject to the provision of § 1.136 for patent applications 37 CFR 1.181(d). (But see 37 CFR 1.645 for extension of time in interference proceedings and 37 CFR 1.550(c) for extension of time in reexamination proceedings.)

CERTIFICATE OF MAILING (37 CFR 1.89)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being faxed to the US Patent Office, Fax No.: 703 872 8303 on October 9, 2003.

Date: October 9, 2003

Immid Miller
 (Type or print name of person mailing paper)
S. K. Miller
 (Signature of person mailing paper)

(Notice of Appeal from the Primary Examiner to Board - Page 1 of 3)

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- (a) Applicant petitions for an extension of time under 37 CFR 1.17(a)-(d) for the total number of months checked below:

Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 66.00
<input type="checkbox"/> two months	\$ 420.00	\$210.00
<input type="checkbox"/> three months	\$ 950.00	\$475.00
<input type="checkbox"/> four months	\$1480.00	\$740.00
		Fee \$ <u> </u>

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- An extension for month has already been secured and the fee paid therefor of \$ is deducted from the total fee due for the total months of extension now requested

Extension fee due with this request \$

or

- (b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$ 165.00

Extension fee (if any) \$

FEE DUE \$ 165.00

5. FEE PAYMENT

Attached is a check in the sum of \$

Charge Account No. 03-2468 the sum of \$ 165.00
A duplicate of this transmittal is attached.

(Notice of Appeal) from the Primary Examiner to Board - Page 2 of 3)

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6. FEE DEFICIENCY

NOTE. If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the case. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1988, 1065 O.G. 31-33.

- If any additional extension and/or fee is required, charge account No.
03-2468

AND/OR

- If any additional fee for claims is required, charge account No.
03-2468


SIGNATURE OF ATTORNEY

Reg. No.: 18,628

Tel No.: (516) 365-9802

Kurt Kalman

Type or print name of attorney

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Oct. 9, 2003

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(Notice of Appeal from the Primary Examiner to Board - Page 3 of 3)
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